

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA**

In re:)	Chapter 11
)	
MERCY HOSPITAL,)	
IOWA CITY, IOWA, <i>et al.</i> ,)	Case No. 23-00623C
)	
Debtors.)	Jointly Administered

AGREED ORDER ON SILLS CUMMIS & GROSS P.C.'S FINAL FEE APPLICATION

JURISDICTION, VENUE, AND STATUTORY PREDICATE

1. The Court has jurisdiction over this Objection pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This is a core proceeding pursuant to 28 U.S.C. § 157(b). The statutory predicate for the relief sought herein is 11 U.S.C. §§ 330 and 331 as well as Fed. R. Bankr. P. 2016. The United States Trustee has standing to raise, appear and be heard on this Objection pursuant to 11 U.S.C. § 307; 28 U.S.C. § 581 *et seq.*

PROCEDURAL BACKGROUND

2. On August 7, 2023, Mercy Iowa City ACO, LLC, Mercy Hospital, Iowa City, Iowa, and Mercy Services Iowa City, Inc., (hereinafter “Mercy” or “Debtors”) filed three individual chapter 11 bankruptcy petitions that are being Jointly Administered under case number 23-00623.

3. On August 15, 2023, the United States Trustee for Region 12 (“UST”) formed the Official Committee of Unsecured Creditors (“OCUC”).

4. On September 14, 2023, the Interim Compensation Order was entered by the Court. Doc. 224. It provided that a Retained Professional may file and serve Monthly Fee Applications and required a 20% holdback of all fees awarded.

5. The OCUC retained Sills Cummis & Gross P.C. (“Sills”) as co-counsel, and the retention was approved on October 12, 2023. *See* Doc. 355.

6. Sills previously filed regularly monthly fee applications at docket numbers 486, 4, 568, 728, 730, 845, 1025, 1189, 1191, and 1193. The UST communicated with counsel certain concerns regarding the Applications as they came due. Many of the potential objections were deferred until the final application.

7. The Final Fee Application found at Docket 1199 seeks final payment \$1,247,716.25 and reimbursement for \$19,799.75 in expenses. Payment for fees and expense is sought pursuant to 11 U.S.C. §§ 330 and 331.

8. The UST and Sills have engaged in good-faith discussions to resolve the issues raised by the UST and have agreed to this Order in lieu of filing Objections and setting the matter for hearing.


IT IS ORDERED THAT:

9. The Final Application for Compensation, Expenses, and Success Fee for Sills for the period of August 18, 2023 through June 24, 2024 is approved in the following amounts:

- a. \$1,175,716.20 for professional services;
- b. \$19,799.75 for expenses.

10. The hearing scheduled for September 25, 2024 at 10:30 AM is cancelled.

Ordered: September 13, 2024



United States Bankruptcy Judge